



House of Representatives

General Assembly

File No. 427

January Session, 2017

Substitute House Bill No. 7055

House of Representatives, April 5, 2017

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING RECOMMENDATIONS BY THE
DEPARTMENT OF TRANSPORTATION REGARDING THE
NOTIFICATION OF STATE CONSTRUCTION CONTRACT
OPPORTUNITIES BY THE UNIVERSITY OF CONNECTICUT AND THE
COMMISSIONER OF TRANSPORTATION, PARKING SPACES,
WAYSIDE HORNS, THE DISPOSITION OF EXCESS STATE
PROPERTY, HEAVY DUTY TRAILERS, FLASHING LIGHTS ON
MOTOR VEHICLES AND ROAD AND BRIDGE DESIGNATIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 10a-109n of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2017*):

4 (c) (1) Any construction contract to which the university is a party
5 may include a provision that the design professional who designed the
6 project, or an architect or professional engineer or construction
7 manager retained or employed specifically for the purpose of
8 supervision, may supervise the work to be performed through to
9 completion and ensure that the materials furnished and the work

10 performed are in accordance with the drawings, plans, specifications
11 and contracts therefor.

12 (2) (A) Except as provided in subparagraph (B) of this subdivision,
13 any total cost basis contract or other contract for the construction of a
14 university project which is estimated to cost more than five hundred
15 thousand dollars, shall be publicly let by the university. The university
16 shall give notice to contractors interested in prequalifying to submit a
17 project proposal or bid, by [advertising, at least once, in one or more
18 newspapers having general circulation in the state and by posting the
19 advertisement] posting any such notice on the university web site and
20 on the State Contracting Portal. The notice to prequalify shall contain
21 the requirement that contractors be prequalified pursuant to section
22 4a-100, a statement of the time and place where the responses shall be
23 received and such additional information as the university deems
24 appropriate. Upon receipt of such responses, the university shall select
25 each contractor who has been prequalified pursuant to section 4a-100
26 and has shown itself able to post surety bonds required by such
27 contract and has demonstrated that it possesses the financial,
28 managerial and technical ability and the integrity necessary and
29 without conflict of interest for faithful and efficient performance of the
30 work provided for therein. The university shall evaluate whether each
31 such contractor is responsible and qualified based on its experience
32 with projects similar to that for which the bid or proposal is to be
33 submitted and based on objective written criteria included in the
34 application to request prequalification with respect to such contract.
35 The university shall also consider whether a contractor, and any
36 subcontractor on the contractor's previous projects, has been in
37 compliance with the provisions of part III of chapter 557 and chapter
38 558 during the previous five calendar years.

39 (B) Notwithstanding the provisions of subparagraph (A) of this
40 subdivision, the board of trustees may approve a total cost basis
41 contract or other contract for the construction of a university project
42 which is estimated to cost more than five hundred thousand dollars
43 that has not been publicly let pursuant to the provisions of said

44 subparagraph (A), provided the board deems the contract to address
45 an emergency.

46 (3) The university shall thereafter give notice to those so
47 prequalified by the university pursuant to subdivision (2) of this
48 section of the time and place where the public letting shall occur and
49 shall include in such notice such information of the work required as
50 appropriate. Each bid or proposal shall be kept sealed until opened
51 publicly at the time and place as set forth in the notice soliciting such
52 bid or proposal. The university shall not award any construction
53 contract, including, but not limited to, any total cost basis contract,
54 after public letting, except to the responsible qualified contractor,
55 submitting the lowest bid or proposal in compliance with the bid or
56 proposal requirements of the solicitation document. The university
57 may, however, waive any informality in a bid or proposal, and may
58 either reject all bids or proposals and again advertise for bids or
59 proposals or interview at least three responsible qualified contractors
60 and negotiate and enter into with any one of such contractors that
61 construction contract which is both fair and reasonable to the
62 university.

63 (4) The notice to each contractor prequalified to submit a proposal
64 or bid and the construction contract, including each total cost basis
65 contract, awarded by the university shall contain such other terms and
66 conditions, and such provisions for penalties as the university may
67 deem appropriate.

68 (5) No payments shall be made by the university on account of any
69 contract for the project awarded by or for the university until the bills
70 or estimates presented for such payment shall have been duly certified
71 to be correct by the university. No payments shall be made from any
72 other fund on account of any contract for any project awarded by or
73 for the university until the bills or estimates presented for such
74 payment shall have been duly certified to be correct by the university.

75 (6) Provision shall be made in each contract to the effect that
76 payment is limited to the amount provided therein and that no liability

77 of the university or state shall and may be incurred beyond such
78 amount.

79 (7) The university shall require, for the protection of the state and
80 the university, such deposits, bonds and security in connection with
81 the submission of bids or proposals, the award of construction
82 contracts and the performance of work as the university shall
83 determine to be appropriate and in the public interest of the state.

84 (8) Any contract awarded by the university shall be a contract with
85 the state acting through the university.

86 (9) The university shall not enter into a construction manager at-risk
87 project delivery contract that does not provide for a maximum
88 guaranteed price for the cost of construction which shall be
89 determined not later than the time of the receipt and approval by the
90 university of the trade contractor bids. Each construction manager at-
91 risk shall invite bids and give notice of opportunities to bid on project
92 elements, by [advertising, at least once, in one or more newspapers
93 having general circulation in the state and by posting the
94 advertisement] posting any such invitation or notice on the [Internet]
95 State Contracting Portal. Each bid shall be kept sealed until opened
96 publicly at the time and place as set forth in the notice soliciting such
97 bid. The construction manager at-risk shall, after consultation with and
98 approval by the university, award any related contracts for project
99 elements to the responsible qualified contractor, who shall be
100 prequalified pursuant to section 4a-100, submitting the lowest bid in
101 compliance with the bid requirements, provided (A) the construction
102 manager at-risk shall not be eligible to submit a bid for any such
103 project element, and (B) construction shall not begin prior to the
104 determination of the maximum guaranteed price, except for the project
105 elements of site preparation and demolition that have been previously
106 put out to bid and awarded.

107 (10) If the university designates a project as suitable for a design-
108 build contract, the university may enter into a single contract with a
109 design-builder recommended by a selection panel and selected by the

110 university. The university shall give notice of such project and
111 specifications for such project by posting such notice on the [Internet]
112 State Contracting Portal. The university shall establish a selection
113 panel for each project to score the qualifications and past performance
114 of each design-builder who submits a competitive proposal to the
115 university for such project. The selection panel shall score the
116 qualifications and past performance of each design-builder using a
117 predetermined scoring method developed by the university and
118 provided to each design-builder in advance of such design-builder's
119 development of the competitive proposal. The selection panel's scoring
120 method may be unique to each project, but shall consist of combining
121 the score of each design-builder's qualifications and past performance
122 and evaluating the technical merit of the competitive proposal and
123 each design-builder's projected project cost. The design-build contract
124 shall (A) include, but not be limited to, such project elements as
125 permitting, engineering, design, construction and, if applicable, site
126 acquisition, and (B) be based on the competitive proposal submitted by
127 the design-builder that is selected by the university. No design-build
128 contract for which the total cost is estimated to be more than five
129 hundred thousand dollars may be awarded to a design-builder who is
130 not prequalified for the project in accordance with section 4a-100. Such
131 design-build contracts shall state the responsibilities of the design-
132 builder to deliver a completed and acceptable project on a date certain
133 and the maximum costs of the project and, if applicable, as a separate
134 item, the cost of any site acquisition. The university shall determine all
135 other requirements and conditions for such competitive proposals,
136 selection of a design-builder and other awards and shall have sole
137 responsibility for all other aspects of such design-build contracts.

138 Sec. 2. Subsections (b) and (c) of section 13a-95b of the general
139 statutes are repealed and the following is substituted in lieu thereof
140 (*Effective October 1, 2017*):

141 (b) If the commissioner designates a project to use a construction-
142 manager-at-risk contract with a guaranteed maximum price, the
143 commissioner may have the project designed by department personnel

144 or enter into a contract with an architect or engineer for the project
145 design, and may also enter into a contract with a construction-
146 manager-at-risk contractor who will provide input during the design
147 process and may be responsible for the construction of the project. The
148 commissioner may permit the contractor to self-perform a portion of
149 the construction work if the commissioner determines that the
150 construction manager general contractor can perform the work more
151 cost-effectively than a subcontractor. All work not performed by the
152 construction manager general contractor shall be performed by trade
153 subcontractors selected by a process approved by the commissioner.
154 The construction-manager-at-risk contract shall have an established
155 guaranteed maximum price. In the event that a guaranteed maximum
156 price cannot be agreed upon, the commissioner may elect to call for
157 bids on the project as provided for pursuant to section 13a-95. The
158 commissioner may select the architect, engineer or contractor from
159 among the contractors selected and recommended by a selection panel.
160 Any such contract for such project shall be based upon competitive
161 proposals received by the commissioner, who shall give notice of the
162 project, by advertising [at least once, in a newspaper having a
163 substantial circulation in the area in which the project is located, and
164 may give notice] on the Department of Administrative Services State
165 Contracting Portal, or use other advertising methods likely to reach
166 qualified construction manager general contractors. Award of any
167 such contract shall be based upon the general conditions and staff costs
168 plus qualitative criteria. The commissioner shall establish all criteria,
169 requirements and conditions of such proposals and award and shall
170 have sole responsibility for all other aspects of the project. Any
171 contract shall clearly state the responsibilities of the contractor to
172 deliver a completed and acceptable project on a date certain, the
173 maximum cost of the project, and, if applicable, as a separate item, the
174 cost of property acquisition.

175 (c) If the commissioner designates a project to use a design-build
176 contract, the commissioner may enter into a single contract with the
177 design-builder, who the commissioner may select from among the
178 design-builders selected and recommended by a selection panel. The

179 contract shall (1) include, but not be limited to, such project elements
180 as site acquisition, permitting, engineering design and construction,
181 and (2) be based on competitive proposals received by the
182 commissioner, who shall give notice of the project and specifications
183 for the project, by advertising [, at least once, in a newspaper having a
184 substantial circulation in the area in which the project is located, and,
185 at the commissioner's discretion,] on the Department of Administrative
186 Services State Contracting Portal, and may use other advertising
187 methods likely to reach qualified design-build contractors. Award of
188 the design-build contract shall be based on a predetermined metric
189 provided to proposers in advance of technical proposal development.
190 This metric may be unique to each project, but shall consist of a
191 combined score of qualifications and past performance of the proposer,
192 technical merit of the proposal and cost. The commissioner shall
193 establish a selection panel for each project to score the qualifications
194 and past performance and technical portion of the proposal using the
195 predefined scoring metric. The sealed cost portion of the proposal shall
196 be opened in a public ceremony only after the qualifications and past
197 performance and technical portions of the proposals have been scored.
198 The commissioner shall determine all criteria, requirements and
199 conditions for such proposals and award and shall have sole
200 responsibility for all other aspects of the contract. Such contract shall
201 state clearly the responsibilities of the design-builder to deliver a
202 completed and acceptable project on a date certain, the maximum cost
203 of the project, and, if applicable, as a separate item, the cost of property
204 acquisition.

205 Sec. 3. Section 13b-20g of the general statutes is repealed and the
206 following is substituted in lieu thereof (*Effective October 1, 2017*):

207 Whenever there is a need to engage a consultant, the Commissioner
208 of Transportation shall notify all firms that are prequalified in
209 accordance with section 13b-20e in the category of services being
210 sought by the department. If the prequalified list contains fewer than
211 five consulting firms or does not include the area of expertise required
212 by the department, the commissioner shall publish a notice in

213 appropriate professional magazines, professional newsletters or on-
214 line professional web sites, indicating the general scope of the
215 assignment and requesting responses in accordance with subsection
216 (b) of section 13b-20e, and [at least once in one or more newspapers
217 having a circulation in each county of the state] on the Department of
218 Administrative Services State Contracting Portal. Responses shall be
219 received at the Department of Transportation not later than fourteen
220 days after the last date on which the notice is published, unless
221 additional time is specifically authorized by the commissioner, or not
222 later than any specific date set forth in such notice. For certain
223 specialized projects the notice may also solicit a full work proposal in
224 addition to the technical qualifications of a firm.

225 Sec. 4. Subsection (h) of section 14-253a of the general statutes is
226 repealed and the following is substituted in lieu thereof (*Effective*
227 *October 1, 2017*):

228 (h) Parking spaces designated for persons who are blind and
229 persons with disabilities on or after October 1, 1979, and prior to
230 October 1, 2004, shall be as near as possible to a building entrance or
231 walkway and shall be fifteen feet wide including three feet of cross
232 hatch, or parallel to a sidewalk on a public highway. On and after
233 October 1, [2004] 2017, parking spaces for passenger motor vehicles
234 designated for persons who are blind and persons with disabilities
235 shall be as near as possible to a building entrance or walkway and
236 shall be fifteen feet wide including five feet of cross hatch, or parallel
237 to a sidewalk on a public highway. On and after October 1, [2004] 2017,
238 parking spaces for passenger vans designated for persons who are
239 blind and persons with disabilities shall be as near as possible to a
240 building entrance or walkway and shall be sixteen feet wide including
241 eight feet of cross hatch, or parallel to a sidewalk on a public highway.
242 Such spaces shall be designated by above grade signs with white
243 lettering against a blue background and shall bear the words
244 "handicapped parking permit required" and "violators will be fined".
245 Such [sign] signs shall also bear the international symbol of access. [On
246 and after January 1, 2017, whenever] Whenever such a sign is replaced,

247 repaired or erected it shall bear the words "reserved parking permit
248 required" and "violators will be fined", bear the symbol of access and
249 indicate the minimum fine for a violation of subsection (f) of this
250 section. Such indicator may be in the form of a notice affixed to such a
251 sign.

252 Sec. 5. Subsection (b) of section 13b-329 of the general statutes is
253 repealed and the following is substituted in lieu thereof (*Effective*
254 *October 1, 2017*):

255 (b) A wayside horn may be used in lieu of a horn attached to an
256 engine at any highway-rail grade crossing equipped with an active
257 warning system consisting of, at a minimum, flashing lights and gates.
258 Such wayside horn shall [(1)] conform to the federal requirements for
259 wayside horn use [, and (2) sound at a minimum of twenty-nine
260 seconds prior to the train's arrival at the crossing, while the lead
261 locomotive is traveling across the crossing and occasionally thereafter
262 until such engine has crossed such highway] set forth in 49 CFR 222.59,
263 as amended from time to time. Any entity installing a wayside horn
264 shall comply with the federal requirements for written notice set forth
265 in 49 CFR 222. For the purposes of this section, "wayside horn" has the
266 same meaning as provided in 49 CFR 222.9, as amended from time to
267 time.

268 Sec. 6. Subsection (b) of section 13a-80 of the general statutes is
269 repealed and the following is substituted in lieu thereof (*Effective*
270 *October 1, 2017*):

271 (b) The Department of Transportation shall obtain a full appraisal
272 on excess property prior to its sale and shall hold a public bid or
273 auction for all properties determined to be legal lots of record. If the
274 department does not receive any bids at the initial public bid or
275 auction, the department may continue to market the property and
276 accept offers for sale or hold another bid or auction. Transfers to other
277 state agencies and municipalities for purposes specified by the
278 department shall be exempt from the appraisal requirement. The
279 department shall offer parcels that are legal lots of record to other state

280 agencies [, and to any municipality in which any such parcel is located,
281 before holding] prior to a public bid or auction and shall offer parcels
282 that are not legal lots of record to [all] abutting landowners in
283 accordance with department regulations. If the sale or transfer of
284 property pursuant to this section results in the existing property of an
285 abutting landowner becoming a nonconforming use, pursuant to local
286 zoning requirements, the commissioner may sell or transfer the
287 property to such abutting landowner without public bid or auction.
288 The department shall obtain a second appraisal if the value of such
289 property is more than two hundred fifty thousand dollars and is to be
290 sold to an abutting landowner or in accordance with the provisions of
291 subsection (c) of this section. Any appraisals shall be obtained prior to
292 the determination of a sale price of the excess property.

293 Sec. 7. Section 14-24 of the general statutes is repealed and the
294 following is substituted in lieu thereof (*Effective October 1, 2017*):

295 The [commissioner] Commissioner of Motor Vehicles may, if in [his]
296 the commissioner's opinion it is equitable, grant a special registration
297 and furnish a special set of number plates or markers, limited or
298 unlimited as [he] the commissioner deems advisable, for the operation
299 of heavy duty trailers for the transportation of heavy construction
300 equipment, of cranes or other heavy construction equipment upon the
301 streets and highways of this state from the railroad station or the
302 storage yard to the construction job, or from one construction job to
303 another. Each movement of such trailer, when loaded, crane or other
304 heavy construction equipment shall require a limited or unlimited
305 written permit from the Commissioner of Transportation, unless it is
306 operating with an [oversize-overweight account code number, and a
307 confirmation number] annual permit furnished by said commissioner
308 pursuant to section 14-270. The Commissioner of Transportation shall
309 issue for each such vehicle operating with such an [account code
310 number] annual permit a document which identifies the vehicle and
311 states the date of issue and date of expiration. The original document,
312 as furnished by the Commissioner of Transportation, shall be carried
313 in the vehicle. The markers or number plates furnished by the

314 Commissioner of Motor Vehicles shall be displayed in a prominent
315 place on the rear of the vehicle. Such registration may be revoked or
316 suspended at the discretion of the commissioner. Nothing in this
317 section shall be construed to prevent the commissioner from issuing
318 temporary registrations for vehicles of this class. The commissioner
319 may, upon receipt of a certified copy of a permit granted under the
320 provisions of section 13a-117, grant to the person named in the permit
321 a special registration and furnish a special set of number plates or
322 markers, limited or unlimited, as specified in the permit, which permit
323 shall be a part of such registration. The registered gross weight of any
324 tractor-trailer unit, where the trailer is registered as a heavy duty
325 trailer, shall be the light weight of the tractor plus the gross weight of
326 the heavy duty trailer.

327 Sec. 8. Subsection (f) of section 14-96q of the general statutes is
328 repealed and the following is substituted in lieu thereof (*Effective*
329 *October 1, 2017*):

330 (f) The commissioner may issue a permit for a yellow or amber light
331 or lights, including flashing yellow or amber lights, which may be
332 used on motor vehicles or equipment that are (1) specified in
333 subsection (e) of this section, (2) maintenance vehicles as defined in
334 section 14-1, or (3) vehicles transporting or escorting any vehicle or
335 load or combinations thereof, which is or are either oversize or
336 overweight, or both, and being operated or traveling under a permit
337 issued by the Commissioner of Transportation pursuant to section 14-
338 270. A yellow or amber light or lights, including flashing yellow or
339 amber lights, may be used without obtaining a permit from the
340 Commissioner of Motor Vehicles on wreckers registered pursuant to
341 section 14-66, [or] on vehicles of carriers in rural mail delivery service
342 or on vehicles operated by construction inspectors employed by the
343 state of Connecticut, authorized by the Commissioner of
344 Transportation, used during the performance of inspections on behalf
345 of the state. The Commissioner of Transportation shall maintain a list
346 of such authorized construction inspectors, including the name and
347 address of each inspector and the registration number for each vehicle

348 on which the lights are to be used.

349 Sec. 9. (*Effective from passage*) A portion of Route 53 in Danbury,
350 from Interstate 84 to South Street, shall be designated the "Danbury
351 Veterans Memorial Highway".

352 Sec. 10. (*Effective from passage*) Route 67 in Oxford shall be
353 designated the "Lieutenant Colonel Howard Belinsky Memorial
354 Highway".

355 Sec. 11. (*Effective from passage*) A portion of Route 450 in Madison,
356 between Five Field Road and New Road, shall be designated the
357 "Andrew Pedersen-Keel Memorial Highway".

358 Sec. 12. (*Effective from passage*) Route 32, from the end of Route 2
359 overlap in Norwich, northerly to the intersection with Route 207 in
360 Franklin, shall be designated the "Joseph J. Buyak, Jr. Memorial
361 Highway".

362 Sec. 13. (*Effective from passage*) Route 80 in North Branford, from the
363 East Haven town line to the Guilford town line, shall be designated the
364 "North Branford Fire Department Memorial Highway".

365 Sec. 14. (*Effective from passage*) Route 69 in Woodbridge, from the
366 New Haven town line northerly to the Bethany town line, shall be
367 designated the "Thomas Darling Memorial Highway".

368 Sec. 15. (*Effective from passage*) Route 194 in South Windsor, from
369 Route 30 to Ayers Road, shall be designated the "Cary Prague
370 Memorial Highway".

371 Sec. 16. (*Effective from passage*) A portion of Route 120, from Route
372 322 to Route 10 in Southington, shall be designated "The Southington
373 Fallen Firefighters Memorial Highway".

374 Sec. 17. (*Effective from passage*) The Mount Hope River Bridge on
375 Route 44 in Ashford shall be designated the "Specialist Robert W. Hoyt
376 Memorial Bridge".

377 Sec. 18. (*Effective from passage*) Route 189 in Hartford, near the
378 University of Hartford, shall be designated the "A. Peter LoMaglio
379 Memorial Highway".

380 Sec. 19. (*Effective from passage*) Bridge number 00349 on Route 1,
381 overpassing the Patchogue River in Westbrook, shall be designated the
382 "Singing Bridge".

383 Sec. 20. (*Effective from passage*) Bridge number 00348 on Route 1 in
384 Westbrook, overpassing the Menunketesuck River, shall be designated
385 the "John H. Wilson Memorial Bridge".

386 Sec. 21. (*Effective from passage*) Bridge number 05708 on Route 70,
387 over the Ten Mile River, shall be designated the "Police Chief Gary
388 Walberg Memorial Bridge".

389 Sec. 22. (*Effective from passage*) Bridge number 00190 in Branford,
390 overpassing Todds Hill Road, shall be designated the "Frank Kinney,
391 Jr. Memorial Bridge".

392 Sec. 23. (*Effective from passage*) Bridge number 01075 in Cheshire
393 shall be designated the "State Police Officer G. Karume Schweitzer
394 Memorial Bridge".

395 Sec. 24. (*Effective from passage*) The bridge on West Street in
396 Southington, overpassing Interstate 84, shall be designated the
397 "Detective Bruce Boisland Memorial Bridge".

398 Sec. 25. Section 29 of public act 13-277 is repealed and the following
399 is substituted in lieu thereof (*Effective from passage*):

400 Bridge number 04324 on Route 175 in Newington shall be
401 designated the "Sergeant Burton E. Callahan, Jr. Memorial Bridge".

402 Sec. 26. Section 188 of public act 15-5 of the June special session is
403 repealed and the following is substituted in lieu thereof (*Effective from*
404 *passage*):

405 Route 194 in South Windsor running in a generally northerly

406 direction from U.S. Route 5 to Troy Road shall be designated the
 407 "Thomas [F.] E. Howe Memorial Highway".

408 Sec. 27. Section 189 of public act 15-5 of the June special session is
 409 repealed and the following is substituted in lieu thereof (*Effective from*
 410 *passage*):

411 Route 10 in Cheshire running in a northerly direction from
 412 approximately 350 feet south of the entrance of Bartlem Park to the
 413 Cheshire Police Station shall be designated the "Medal of Honor
 414 Memorial Highway".

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	10a-109n(c)
Sec. 2	October 1, 2017	13a-95b(b) and (c)
Sec. 3	October 1, 2017	13b-20g
Sec. 4	October 1, 2017	14-253a(h)
Sec. 5	October 1, 2017	13b-329(b)
Sec. 6	October 1, 2017	13a-80(b)
Sec. 7	October 1, 2017	14-24
Sec. 8	October 1, 2017	14-96q(f)
Sec. 9	from passage	New section
Sec. 10	from passage	New section
Sec. 11	from passage	New section
Sec. 12	from passage	New section
Sec. 13	from passage	New section
Sec. 14	from passage	New section
Sec. 15	from passage	New section
Sec. 16	from passage	New section
Sec. 17	from passage	New section
Sec. 18	from passage	New section
Sec. 19	from passage	New section
Sec. 20	from passage	New section
Sec. 21	from passage	New section
Sec. 22	from passage	New section
Sec. 23	from passage	New section
Sec. 24	from passage	New section
Sec. 25	from passage	PA 13-277, Sec. 29

Sec. 26	<i>from passage</i>	PA 15-5 of the June Sp. Sess., Sec. 188
Sec. 27	<i>from passage</i>	PA 15-5 of the June Sp. Sess., Sec. 189

Statement of Legislative Commissioners:

The title was changed.

TRA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
UConn	Various - Savings	11,250- 26,250	15,000- 35,000
Transportation, Dept.	TF - Savings	11,250- 26,250	15,000- 35,000
Transportation, Dept.	TF - Revenue Gain	Potential	Potential

Note: Various=Various; TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 18 \$	FY 19 \$
All Municipalities	See Below	See Below	See Below

Explanation

Sections 1-3 eliminate the requirement for the University of Connecticut (UConn) and the Department of Transportation (DOT) to pay for construction project advertisements in a newspaper. This will result in a savings to UConn and DOT of \$11,250 to \$26,250 in FY 18 (due to the bill's October 1, 2017 effective date) and \$15,000 to \$35,000 in FY 19 and annually thereafter due to the elimination of a requirement.

Section 4 requires handicapped parking spaces be parallel to sidewalks on public highways which is not anticipated to result in a fiscal impact as under current law, these spaces must already be designated by signs with specific wording and symbols related to handicap parking.

Section 6 eliminates the requirement for DOT to offer surplus

property to a municipality (at a price determined by DOT) before bringing the property to a public bid. As public bids can result in prices that are higher or lower than prices determined by DOT, the section could result in a cost or savings to a municipality that intends to purchase land from DOT. Any cost or savings to municipalities would result in a corresponding revenue gain or loss to DOT.

Sections 9-27 designate names to certain roads and bridges which will result in a one-time cost in FY 18 of up to \$19,000 to DOT for the cost of highway signs.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB-7055**

AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION REGARDING THE NOTIFICATION OF STATE CONSTRUCTION CONTRACT OPPORTUNITIES BY THE UNIVERSITY OF CONNECTICUT AND THE COMMISSIONER OF TRANSPORTATION, PARKING SPACES, WAYSIDE HORNS, THE DISPOSITION OF EXCESS STATE PROPERTY, HEAVY DUTY TRAILERS, FLASHING LIGHTS ON MOTOR VEHICLES AND ROAD AND BRIDGE DESIGNATIONS.

SUMMARY

This bill eliminates a law requiring the Department of Transportation (DOT) to offer certain excess property to the municipality in which the property is located before selling it at auction.

The bill makes other changes in laws affecting handicapped parking, railroad crossing signals, notification procedures for certain DOT and UConn contracts, oversize and overweight vehicle permits, and the display of lights on vehicles used by state construction inspectors. It also names a number of roads and bridges.

EFFECTIVE DATE: October 1, 2017, except for the naming of roads and bridges, which takes effect upon passage.

§§ 1-3 — NOTIFICATION OF CERTAIN DOT AND UCONN CONSTRUCTION PROJECTS

The bill eliminates requirements that UConn and DOT notify prospective (1) bidders on various construction projects and (2) DOT consultants, by advertising at least once in newspapers distributed throughout the state or in areas affected by the contract. It instead requires DOT and UConn to notify prospective contractors through the Department of Administrative Services' state contracting portal.

The contracts affected by the bill are, for UConn:

1. total cost basis or other contracts for university projects costing more than \$500,000,
2. construction manager at-risk contracts, and
3. design-build contracts.

The bill requires Conn or the construction manager, as applicable, to advertise all three types of contracts on the state contracting portal. It requires the construction manager and university to advertise construction manager at-risk and design-build contracts, respectively, specifically on the portal instead of generally on the internet. It eliminates newspaper advertising requirements for total cost basis and other contracts of more than \$500,000 and construction manager at-risk contracts. (Current law does not require UConn to advertise design-build contracts in newspapers.)

The contracts affected by the bill are, for DOT:

1. construction manager at risk contracts,
2. design-build contracts, and
3. consulting services contracts.

The bill eliminates the newspaper advertising requirement for each of these contracts and requires the commissioner to advertise consultant contracts on the portal. (Construction manager at-risk and design-build contracts must already advertise on the portal.)

By law, a "total cost basis contract" is a design-build contract or a construction manager at-risk project delivery contract between UConn and a contractor to accomplish multiple elements of a project, including site acquisition, architectural design, preconstruction activities, project management, and construction (CGS § 10a-109c).

In a construction manager at-risk contract, a construction manager

generally works with a designer and provides labor, material, and project management during construction. Under a design-build contract, a single entity both designs and builds the project.

§ 4 — DESIGNATED HANDICAPPED PARKING SPOTS

By law, handicapped parking spaces for passenger cars and vans must be as near as possible to building entrances or walkways. Spaces for passenger cars must be 15 feet wide, including five feet of cross hatch; spaces for passenger vans must be 16 feet wide, including eight feet of cross hatch.

Starting October 1, 2017, the bill reinstates a requirement that alternatively, handicapped parking spaces be parallel to sidewalks on public highways, as the law required for these spaces before October 1, 2004. As under current law, these spaces must be designated by signs with specific wording and symbols.

By law, a highway is any state or other public highway, road, street, avenue, alley, driveway, parkway, place or dedicated roadway for bus rapid transit service, under the control of the state or any political subdivision of the state, dedicated, appropriated, or opened to public travel or other use (CGS § 14-1).

§ 5 — WAYSIDE HORNS AT RAILROAD CROSSINGS

The law allows the use of stationary “wayside horns” at certain railroad crossings to warn motorists of approaching or crossing trains. The bill reduces the minimum length of time a wayside horn must sound from 29 seconds to 15 seconds before a train reaches the crossing. This change conforms to requirements in federal regulations (49 C.F.R. § 222.59).

§ 6 — DISPOSAL OF EXCESS DOT PROPERTY

The bill eliminates a law requiring that DOT, after having certain excess property appraised but before selling it at auction, offer the property to the town in which the property is located. (But DOT must still offer these properties to other state agencies before going to auction.)

Another law, unaffected by the bill, requires that a state agency notify the chief executive officer and state legislators of a municipality before selling any land it owns in that municipality. The chief executive officer has 45 days in which to notify the state of the municipality's interest in buying the property (CGS § 3-14b).

§ 7 — MOVEMENT OF HEAVY CONSTRUCTION EQUIPMENT

The bill changes how DOT regulates the movement of oversize and overweight trailers carrying heavy construction equipment. Under current law, each movement of these vehicles requires a written DOT permit unless the vehicle is operating with an oversize-overweight account code number and a confirmation number. The bill eliminates the account code and confirmation number requirement and instead allows such a vehicle to operate without a written DOT permit for each move if it has an annual DOT oversize-overweight vehicle permit. It requires the DOT commissioner to issue each vehicle with such an annual permit a document identifying the vehicle and containing the permit's issue and expiration dates.

The bill also specifies that Department of Motor Vehicles (DMV)-furnished number plates or markers for these vehicles be prominently displayed on the rear of the vehicle.

§ 8 — DISPLAY OF LIGHTS BY STATE CONSTRUCTION INSPECTORS

The bill allows DOT-authorized vehicles driven by state construction inspectors to use yellow or amber lights, including flashing or revolving lights of these colors, without a DMV permit while conducting inspections for the state. The law already exempts wreckers and rural mail delivery service vehicles from the permit requirement.

The bill requires the DOT commissioner to keep a list of these inspectors, including their names and addresses, and the registration number of each vehicle that will display the lights.

By law, such permits are not needed for state-owned and state-

registered vehicles.

§§ 9-27 — BRIDGE AND ROAD NAMING

The act designates:

§ 9. Route 53 in Danbury, from I-84 to South Street, the “Danbury Veterans Memorial Highway”;

§ 10. Route 67 in Oxford the “Lieutenant Colonel Howard Belinsky Memorial Highway”;

§ 11. Route 450 in Madison, between Five Field Road and New Road, the “Andrew Pedersen-Keel Memorial Highway”;

§ 12. Route 32, from the end of Route 2 overlap in Norwich, north to the intersection with Route 207 in Franklin, the “Joseph J. Buyak, Jr. Memorial Highway”;

§ 13. Route 80 in North Branford, from the East Haven line to the Guilford line, the “North Branford Fire Department Memorial Highway”;

§ 14. Route 69 in Woodbridge, from the New Haven line north to the Bethany line, the “Thomas Darling Memorial Highway”;

§ 15. Route 194 in South Windsor from Route 30 to Ayers Road, the “Cary Prague Memorial Highway”;

§ 16. Route 120, from Route 322 to Route 10, in Southington, “The Southington Fallen Firefighters Memorial Highway”;

§ 17. the Mount Hope River Bridge on Route 44 in Ashford, the “Specialist Robert W. Hoyt Memorial Bridge”;

§ 18. Route 189 in Hartford near the University of Hartford, the “A. Peter LoMaglio Memorial Highway”;

§ 19. Bridge number 00349 on Route 1, passing over the Patchogue River in Westbrook, the “Singing Bridge”;

§ 20. Bridge number 00348 on Route 1 in Westbrook passing over the Menunketesuck River, the “John H. Wilson Memorial Bridge”;

§ 21. Bridge number 05708 on Route 70 over the Ten Mile River, the “Police Chief Gary Walberg Memorial Bridge”;

§ 22. Bridge number 00190 in Branford, passing over Todds Hill Road, the “Frank Kinney, Jr. Memorial Bridge”;

§ 23. Bridge number 01075 in Cheshire, the “State Police Officer G. Karume Schweitzer Memorial Bridge”;

§ 24. the bridge on West Street in Southington, passing over I-84, the “Detective Bruce Boisland Memorial Bridge”;

§ 25. Bridge number 04324 on Route 175 in Newington, the “Sergeant Burton E. Callahan, Jr. Memorial Bridge” instead of the “Sergeant Burton E. Callahan Memorial Bridge”;

§ 26. Route 194 in South Windsor, running in a generally northerly direction from U.S. Route 5 to Troy Road, the “Thomas E. Howe Memorial Highway” instead of the “Thomas F. Howe Memorial Highway”;

§ 27. Route 10 in Cheshire running north from about 350 feet south of the entrance of Bartlem Park to the Cheshire Police Station the “Medal of Honor Memorial Highway” instead of the “Medal of Honor Highway.”

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 33 Nay 0 (03/17/2017)